

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**SHERRI ROBINSON,**

**Plaintiff,**

**VS.**

**BP EXPLORATION & PRODUCTION  
INC., *et al.*,**

**Defendants.**

**CIVIL ACTION NO. 23-00274-KD-MU**

## ORDER

This action is before the Court on the Rule 41(a) Stipulation of Dismissal with Prejudice (doc. 37). The stipulation indicates that Plaintiff Sherri Robinson is “appearing through undersigned counsel” because she died in May 2024.

Pursuant to Alabama law, counsel's representation of Robinson terminated at her death. Est. of Jones v. State Farm Mut. Auto. Ins. Co., 829 So. 2d 170, 171 (Ala. Civ. App. 2002) ("In addition, 'an attorney's authority to act on behalf of a client ceases on the death of that client.'") (citations omitted); Billingsley v. City of Gadsden, 295 So. 3d 670, 672 (Ala. Civ. App. 2019) (same). Therefore, Robinson cannot appear through counsel to stipulate to dismissal of this action. Accordingly, the stipulation is MOOT.

The parties are reminded that Fed. R. Civ. P. 25(a)(1) provides as follows:

If a party dies and the claim is not extinguished, the court may order substitution of the proper party. A motion for substitution may be made by any party or by the decedent's successor or representative. If the motion is not made within 90 days after service of a statement noting the death, the action by or against the decedent must be dismissed.

Fed. R. Civ. P. Rule 25(a)(1).

**DONE** and **ORDERED** this the 7th day of March 2025.

s/Kristi K. DuBose  
KRISTI K. DuBOSE  
UNITED STATES DISTRICT JUDGE